

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

A.P. State Disaster Response & Fire Services Department – Accident Case MAT.O.P. No. 25/2007, filed by Smt. D. Santha Kumari, W/o. Late D. Narasaiah and others before the Motor Vehicle Accidents and Claims Tribunal, Khammam for grant of compensation - Granted compensation of Rs.8,00,000/- to victim – Interim stay on condition of the petitioner depositing half of the decretal amount with interest and costs – Sanction of Rs.2,40,199/- to Smt. D.Santha Kumari and others - Orders – Issued.

HOME (FIRE SERVICES) DEPARTMENT

G.O.RT.NO. 2128

DATED:19-11-2012.

Read the following:-

1. From the Judge cum Additional District Judge, Motor Vehicle Accidents and Claims Tribunal, Family Court, Khammam, Decree, dated 15-10-2009 in M.A.T.O.P.No.25 of 2007.
2. From the Director General, A.P.State Disaster Response and Fire Services, Hyderabad, letter No.8979/E2/2006, dated 06-08-2010 and 01-02-2012.
3. G.O.Rt.536 Home(Fire Services) Department dated 30.03.2012.
4. From the Director General, A.P.State Disaster Response and Fire Services, Hyderabad, letter No.8979/E2/2006, dated 16-08-2012.

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ORDER:

The Director General, A.P. State Disaster Response & Fire Services, Hyderabad, vide letters second read above, has stated that the Hon'ble District Judge, Motor Accidents Claims Tribunal, Family Court, Khammam in its Judgment, dated 15-10-2009 in M.A.T.O.P.No.25 of 2007 has passed the following orders:-

“This petition is allowed with costs against Respondent -1 to Respondent - 3 jointly and severally, by granting an award of Rs. 6,34,240/- (Rupees six lakh thirty four thousand two hundred and forty only) towards compensation on all heads, together with interest at 7.5 % P.A from the date of petition, till the date of deposit. Advocates fee is fixed at Rs.1,000/- (One thousand only).The Respondents 1 and 2 are directed to deposit the compensation amount within a month from the date of this order. On such deposit petitioner-1 is entitled to Rs.1,84,240/- (Rupees one lakh eighty four thousand two hundred and forty only) and Petitioner - 2 to 4 are entitled to Rs. 1,50,000/- (Rupees one lakh fifty thousands only) each. Petitioner-1 to Petitioner - 4 are permitted to withdraw half of their respective share amounts and remaining of share amounts shall be kept in fixed deposit for a period of two years”

2. The Director General, A.P. State Disaster Response & Fire Services, Hyderabad, has therefore, requested the Government to sanction an amount of Rs 6,34,240/- (Rupees six lakhs thirty four thousand two hundred and forty only) to deposit half of the decretal amount with interest and costs in the Motor Accidents Claims Tribunal, Khammam, Family Court at Khammam as ordered by the Hon'ble District Judge, Motor Accidents Claims Tribunal, Family Court, Khammam.

3. Accordingly, Government vide G.O. 3rd read above accorded sanction and release an amount of Rs. 6,34,240/- (Rupees six lakhs thirty four thousand two hundred and forty only) for payment of compensation to Smt. D. Santha Kumari, W/o. Late D. Narasaiah and others, as ordered by Hon'ble District Judge, Motor Accidents Claims Tribunal, Family Court, Khammam in MAT.O.P. No. 25/2007.

P.T.O

4. The Director General, A.P. State Disaster Response & Fire Services, Hyderabad, vide reference 4th read above has informed that Smt. D. Santha Kumari, W/o. Late D. Narasaiah and others have filed E.P.No.18/2012 in M.A.T. OP.No.25/2007 for Rs. 8,74,439 towards the decretal amount of Rs.6,34,240 and interest @ 7.5% per annum accrued to Rs.2,32,554 and the cost awarded in decree Rs.6,992.00, and the E.P. Costs Rs.653/- the total amounting to Rs.8,74,439 against the J.Drs.No.2, the Government of Andhra Pradesh, rep. by District Collector, Khammam and J.Dr.No.3 the Directorate of Fire Services, Andhra Pradesh, Hyderabad and sought attachment of movable properties. Out of the total amount of Rs.8,74,439/- an amount of Rs.6,34,240/- was already deposited in the court of Motor Accidents Claims Tribunal, Khammam. As such the D.G.(Fire Services) has requested to sanction an amount of Rs.2,40,199/- being the balance amount to be deposited in the tribunal.

5. Government after careful consideration of the matter here by accord sanction for payment of Rs.2,40,199/- (Two lakhs Forty Thousand one hundred and ninety nine only) to Smt. D. Santha Kumari, W/o. Late D. Narasaiah as ordered by Hon'ble District Judge, Motor Accidents Claims Tribunal, Family Court, Khammam in the E.P.No.18/2012 in M.A.T.OP.No.25/2007

6. The amount sanctioned at para (5) above shall be debited to the Head of Account "2070 - Other Administrative Services - MH 108 - SH (03) - District Offices - 500-Other Charges - 501 Compensation (charged)" and shall initially be met by way of an advance from "Contingency Fund", for which orders will be issued by Finance (B.G.I) Department separately.

7. The Director General, A.P. State Disaster Response & Fire Services, Hyderabad, is authorized to draw the amount sanctioned in para (5) above, and place the amount at the disposal of the Motor Accident Claims Tribunal, Khammam, as ordered by the Hon'ble District Judge, Motor Accidents Claims Tribunal, Khammam, to pay Rs 2,40,199/- (Rupees Two lakhs Forty Thousand one hundred and ninety nine only) to Smt. D. Santha Kumari, W/o. Late D. Narasaiah and others, and submit compliance report along with the proof of payment.

8. The Director General, A.P. State Disaster Response & Fire Services, Hyderabad, Shall send necessary proposal for obtaining Supplementary Grant at appropriate time during the current financial year 2012 - 2013 towards recoupment of advance to the Contingency Fund.

9. The Director General, A.P. State Disaster Response & Fire Services, Hyderabad, shall take further action accordingly.

10. This order issues with the concurrence of the Finance (Exp.Home) Department, vide their U.O. No.28431/465/A2/2012, dated 09.11.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**M. CHAYA RATAN,
SPL. CHIEF SECRETARY TO GOVERNMENT**

To
The Director General, A.P. State Disaster Response &
Fire Services, Hyderabad.
The Accountant General (A&E), A.P., Hyderabad.
The Director of Treasuries & Accounts, A.P., Hyderabad.
The District Treasury Officer, Khammam

Copy to:

The Hon'ble High Court of Andhra Pradesh, Hyderabad.
The Motor Accident Claims Tribunal, Khammam
The Finance (Exp.Home) Department.
The Finance (BG) Department.
SF/SC

//FORWARDED:: BY ORDER//

SECTION OFFICER